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## 12/19/2013

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91206667
Party	Plaintiff Crabar/GBF, Inc.
Correspondence Address	DANIEL J CHALKER CHALKER FLORES LLP 14951 N DALLAS PARKWAY, SUITE 400 DALLAS, TX 75254 UNITED STATES docket@chalkerflores.com,cminchillo@chalkerflores.com, jflores@chalkerflores.com, docket@chalkerflor
Submission	Other Motions/Papers
Filer's Name	Daniel J. Chalker
Filer's e-mail	dchalker@chalkerflores.com,docket@chalkerflores.com,cminchillo@chalkerflores.com
Signature	/Daniel J. Chalker/
Date	12/19/2013
Attachments	Opp's Pretrial Disclosures 121913.pdf(15457 bytes )

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In Re: Application Serial No. 85/515,663

For the Mark: PRINTEGRITY

Filed: January 13, 2012

Published in the Official Gazette: July 24, 2012

Crabar/GBF, Inc.	)
Ciuoui, GDI, iiic.	)
Opposer	)
	) Opp. No. 91206667
V.	)
	)
	)
Printegrity Incorporated	)
	)
Applicant	)
	)
	)

### OPPOSER'S PRETRIAL DISCLOSURES

To: Printegrity Inc. c/o Simon Hughes, The Hughes Law Firm, 13280 Northwest Freeway, No. F-400, Houston, Texas 77040 and Lawrence P. Hampton, Hampton & Tepikian, L.L.P., 171 Fairview Street, Houston, Texas 77006.

Crabar/GBF, Inc. ("Opposer") makes these pretrial disclosures as required by Federal Rule of Civil Procedure 26(a)(3) and/or order of the Trademark Trial and Appeal Board ("Board").

## A. WITNESSES

1. Plaintiff expects to call the following witnesses at trial:

Steve Osterloh Vice President of marketing Crabar/GBF, Inc. 2441 Presidential Parkway Midlothian, Texas 76065 (800) 752-5386

Corporate Representative of Opposer who may testify regarding his knowledge of Opposer's business operations and use of the PRINTEGRA mark in commerce.

Stephanie Foley E-Commerce Marketing Specialist Crabar / GBF, Inc. d/b/a Printegra 5040 Highlands Parkway Smyrna, GA 30082 (770) 319-9500

Representative of Opposer who may testify regarding Opposer's use of PRINTEGRA mark in commerce, advertising and marketing using of PRINTEGRA, and Customers of Opposer who were or will likely be confused, or mislead by Applicant's registration of its mark.

Monty Ferguson General Manager Crabar / GBF, Inc. d/b/a Printegra 5040 Highlands Parkway Smyrna, GA 30082 (770) 319-9500

Representative of Opposer who may testify regarding Opposer's use of PRINTEGRA mark in commerce, and Customers of Opposer who were or will likely be confused, or mislead by Applicant's registration of its mark.

2. Plaintiff may call the following witnesses if the need arises:

Michael Lefkowitz 1044 Ashland Street Houston, Texas 77008

Owner of the PR!NTEGRITY mark, Registration Number 3,375,018, who may testify regarding the use of and the consent to use the "PR!NTEGRITY" mark. Director and President of Printegrity Incorporated, who may testify regarding the PRINTEGRITY mark trademark application and use.

#### B. DEPOSITIONS

3. Plaintiff expects to call the following witnesses by deposition: None.

#### C. EXHIBITS

4. Plaintiff expects to offer the following exhibits:

Documents produced by Opposer on May 13, 2013.

Documents evidencing use of "PRINTEGRA" mark in commerce.

Documents evidencing the products and services offered by Opposer utilizing the "PRINTEGRA" mark.

Documents evidencing use of the "PRINTEGRA" mark in advertising and promotion of Opposer's goods and services.

Documents evidencing sales figures for goods and services possessing the "PRINTEGRA" mark.

Documents evidencing the geographical area where the "PRINTEGRA" mark is used.

Documents filed with the USPTO related to U.S. Registration No. 2,835,179 ("PRINTEGRA").

Documents filed with the USPTO related to U.S. Trademark Application Serial No. 85/515,663 ("PRINTEGRITY").

Documents filed with the USPTO related to US Registration No. 3,375,018 ("PR!NTEGRITY").

Consent of Michael Lefkowitz, as Owner of the PR!NTEGRITY mark, by Printegrity Incorporated.

Corporate documents of Printegrity Incorporated from the Texas Secretary of State.

Dated: December 19, 2013 Respectfully submitted,

### **CHALKER FLORES, LLP**

By: /s/ Daniel J. Chalker
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#### ATTORNEY FOR OPPOSER

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on December 19, 2013 a true and correct copy of the foregoing document was served on the following parties via the Court's ECF system and first class mail:

Simon Hughes The Hughes Law Firm 13280 Northwest Freeway, No. F-400 Houston, Texas 77040

Lawrence P. Hampton Hampton & Tepikian, L.L.P. 171 Fairview Street Houston, Texas 77006

/s/ Daniel J. Chalker
Daniel J. Chalker